

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**DONALD D. HERBOLSHEIMER,**

**Defendant.**

**CASE NO. 8:11CR63**

## ORDER

This matter is before the Court on the government's motion to dismiss (Filing No. 43). Under Federal Rule of Criminal Procedure 48(a), leave of court is granted for the dismissal of the Indictment, without prejudice, against the above-named Defendant.

IT IS ORDERED that the government's motion to dismiss (Filing No. 43) is granted.

DATED this 30<sup>th</sup> day of November, 2011.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge